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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,465	08/13/2001	Barbara Timmer	22488/92682	6450

23644 7590 07/14/2004

BARNES & THORNBURG
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CHICAGO, IL 60690-2786

EXAMINER

HUTTON JR, WILLIAM D

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/928,465	TIMMER, BARBARA	
	Examiner	Art Unit	
	Doug Hutton	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 4 is objected to because of the following informalities:

- as currently worded, the claim fails to clearly define the scope of the invention; the claim recites that the book's content is "selected from a group of applications consisting of MYLIFEBOOK, MYTRAVELBOOK, MY MONEYBOOK, MYFOODBOOK, MYWINEBOOK, and MYPersonalTrainer;" Applicant should amend the claim to generically describe the content of each of these "applications" (for example, "wherein the content is selected from the group consisting of life history") so as to clearly define the scope of the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1 and 4-6 are rejected under 35 U.S.C. 102(a) as being anticipated by www.blogger.com (hereinafter, Blogger) as it appeared on 3 November 1999.

Art Unit: 2178

Claim 1:

Blogger discloses (see "Blogger1" and "Blogger2," the attached HTML source documents for each web page and the archive.org search result for "www.blogger.com") a book created in electronic media by a user (see "Blogger1" – Blogger disclosed a "book in electronic media" in that it allowed a user to create a blog on the Internet), said book comprising content selected by the user from content available through a host or a host's one or more Content Partners (see "Blogger1" – Blogger disclosed "content selected by the user from content available through a host or a host's one or more Content Partners" in that it allowed the user to make posts to his blog), in a structure designed by the user (see "Blogger1" – Blogger disclosed a book "in a structure designed by the user" in that it allowed the user to select a template for his blog).

Claim 4:

Blogger discloses the book of Claim 1, wherein the content is selected from a group of applications consisting of MYLIFEBOOK, MYTRAVELBOOK, MY MONEYBOOK, MYFOODBOOK, MYWINEBOOK, and MYPERSONALTRAINER (Blogger disclosed content that included "life histories" in that blogs were very similar to personal diaries).

Claim 5:

Blogger discloses (see "Blogger1" and "Blogger2," the attached HTML source documents for each web page and the archive.org search result for "www.blogger.com") a method of creating a personalized book in electronic media (see "Blogger1" – Blogger disclosed a method of "creating a personalized book in electronic media" in that it allowed a user to create a blog on the Internet), said method comprising:

- a) providing personal information about a user (Blogger disclosed "providing personal information about a user" in that blogs were very similar to personal diaries that include personal information);
- b) selecting a structure for the book (see "Blogger1" – Blogger disclosed "selecting a structure for the book" in that it allowed the user to select a template for his blog);
- c) selecting content of interest to the user (see "Blogger1" – Blogger disclosed "selecting content of interest to the user" in that it allowed the user to make posts to his blog); and
- d) manipulating the selected content into a book (see "Blogger1" – Blogger disclosed "manipulating the selected content into a book" in that it collected the user's posts into his blog and stored the blog).

Claim 6:

Blogger discloses the method of Claim 5, wherein the personal information comprises life events selected by the user (Blogger disclosed "personal information that

comprises life events selected by the user" in that blogs were very similar to personal diaries).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blogger.

Claim 3:

As indicated in the above discussion, Blogger discloses every limitation of Claim 1.

Blogger fails to expressly disclose content that is selected from the group consisting of Web pages, audio, streaming video, and digital pictures. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include Web pages, audio, streaming video, and digital pictures in the user's posts to his blog for the purpose of attracting web surfers to his blog. The user could have also included video files, hyperlinks and video games in his posts to his blog in order to make his blog more attractive to others.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the book, disclosed in Blogger, to include

content that is selected from the group consisting of Web pages, audio, streaming video, and digital pictures for the purpose of attracting web surfers to his blog.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blogger, in view of www.genserv.com (hereinafter, Genserv) as it appeared on 8 October 1999.

Claim 2:

As indicated in the above discussion, Blogger discloses every limitation of Claim 1.

Blogger fails to expressly disclose that the book was stored on a secure server.

Genserv teaches (see "Genserv," the attached HTML source document and the archive.org search result for "www.blogger.com") a book that is stored on a secure server (Genserv taught a "book that is stored on a secure server" in that it collected information onto a server that could be accessed only by paying members) for the purpose of restricting access to the book.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the book, disclosed in Blogger, so that it is stored on a secure server for the purpose of restricting access to the book, as taught by Genserv.

Conclusion

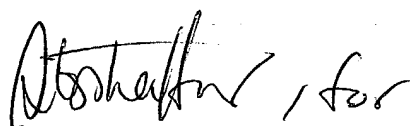
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Moller et al., U.S. Patent No. 6,598,074; Consolatti et al., U.S. Patent No. 6,289,363; Kim, U.S. Patent No. 5,742,283; and Van Der Meer, U.S. Patent No. 6,415,316.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (703) 305-1701. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

WDH
July 8, 2004


HEATHER HERNDON
SUPERVISORY PATENT EXAMINER
TECH CENTER 2100